

**RECEIVED
CENTRAL FAX CENTER**

APR 21 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**OFFICIAL**

APPLICANT: Boyle, Christopher T. Attorney Docket No.: 6006-018
SERIAL NO.: 09/716,146 EXAMINER: C. Miller
FILING DATE: November 17, 2000 Group Art Unit: 3738
TITLE: DEVICE FOR IN VIVO DELIVERY OF BIOACTIVE AGENTS AND
METHOD OF MANUFACTURE THEREOF

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this document (along with any referred to as being attached or enclosed) is being facsimile transmitted on this the 21st day of April, 2004 addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, ATTN: Examiner Cheryl Miller at (703) 872-9306..


Lori Dunham

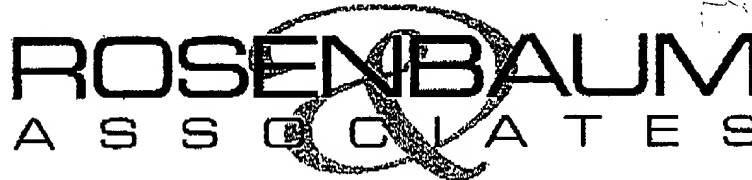
AMENDMENT AND RESPONSE TO OFFICE ACTION

Dear Sir:

In response to the Office Action mailed October 22, 2003, please amend the above-referenced patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 4 of this paper.

**RECEIVED
CENTRAL FAX CENTER**

APR 21 2004

OFFICIAL**FAX COVER SHEET**

FAX NUMBER TRANSMITTED TO: (703) 872-9306

To: Examiner Cheryl L. Miller
Of: U.S. Patent and Trademark Office
From: Rosenbaum & Associates, P.C.
Client/Matter: 6006-018
Date: Wednesday, April 21, 2004

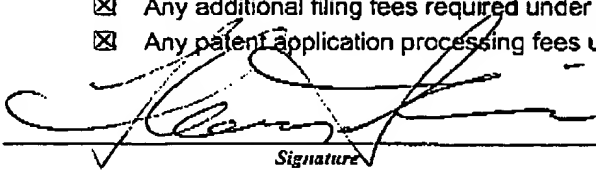
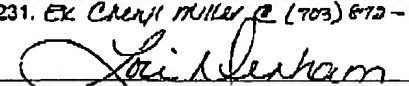
| DOCUMENTS | NUMBER OF PAGES* |
|--|------------------|
| Transmittal document | 1 |
| Amendment Transmittal (1 page in duplicate) | 2 |
| Amendment and Response to Office Action | 6 |
| Petition for 3-month extension of time (1 page in duplicate) | 2 |
| Notice of Change of Address of Attorney of Record | 1 |
| Notice of Change in Entity Status | 1 |
| | |
| TOTAL | 13 |

COMMENTS: In Re: U.S. Serial No. 09/716,146
Applicant: Christopher T. Boyle
Attorney Docket No. 6006-018

THE INFORMATION CONTAINED IN THIS FACSIMILE COMMUNICATION MAY BE CONFIDENTIAL AND IS INTENDED SOLELY FOR THE USE OF THE RECIPIENT NAMED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT, ANY DISSEMINATION, DISTRIBUTION, COPYING OR OTHER USE OF THIS COMMUNICATION FOR ANY PURPOSE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE TELEPHONE THE SENDER IMMEDIATELY, AND MAIL THE ORIGINAL COMMUNICATION TO THE SENDER AT THE ABOVE ADDRESS. THANK YOU.

A PROFESSIONAL CORPORATION PRACTICING INTELLECTUAL PROPERTY LAW
650 DUNDEE ROAD • SUITE 380 • NORTHBROOK, ILLINOIS 60062
TELEPHONE (847) 770-6000 • FACSIMILE (847) 770-6006

R

| | | | | | |
|---|-------------------------------------|-------------------------------------|--------------------------------|-------------------------------|-------------------|
| AMENDMENT TRANSMITTAL LETTER (Large Entity) | | | | Docket No. 6006-018 | |
| Applicant(s): Christopher T. Boyle | | | | | |
| Serial No. 09/716,146 | Filing Date 11/17/00 | Examiner Cheryl L. Miller | Group Art Unit 3738 | | |
| Invention: DEVICE FOR IN VIVO DELIVERY OF BIOACTIVE AGENTS AND METHOD OF MANUFACTURE THEREOF | | | | | |
| <u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u> | | | | | |
| Transmitted herewith is an amendment in the above-identified application. | | | | | |
| The fee has been calculated and is transmitted as shown below. | | | | | |
| CLAIMS AS AMENDED | | | | | |
| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST # PREV. PAID FOR | NUMBER EXTRA CLAIMS PRESENT | RATE | ADDITIONAL FEE |
| TOTAL CLAIMS | 5 | 25 | 0 | x \$18.00 | \$0.00 |
| INDEP. CLAIMS | 1 | 5 | 0 | x \$86.00 | \$0.00 |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | \$0.00 |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT | | | | | \$0.00 |
| <input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ A duplicate copy of this sheet is enclosed. <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 18-2000 A duplicate copy of this sheet is enclosed. <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. | | | | | |
|  Signature | | | Dated: April 21, 2004 | | |
| Thomas S. Kim (Reg. No. 51,009) ROSENBAUM & ASSOCIATES, P.C. 650 Dundee Road Suite #380 Northbrook, IL 60062 Tel. (847) 770-6000 Fax (847) 770-6006 tkim@biopatentlaw.com | | | | | |
| <i>Facsimile Transmission</i> I certify that this document and fee is being deposited on <u>April 21, 2004</u> with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231. <u>EX Cheryl Miller @ (703) 812-9366</u> .  Signature of Person Mailing Correspondence L. ri Dunham Typed or Printed Name of Person Mailing Correspondence | | | | | |

CC: